

REMARKS

Claim 1 stands rejected as anticipated by Sugai et al, and by Anderson, Jr. Claim 2 stands rejected as unpatentable over Anderson, Jr. in view of Kakimoto. Claims 3-5 stand as allowable, but objected to for being dependent upon a rejected base claim. Claim 15 is new.

Claim 1 has been amended to further differentiate versus Sugai and Anderson, Jr. Specifically, Sugai and Anderson, Jr. apparatus both include rotors, however, the nature of the rotors is inherently different than the rotor of the instant application. The rotor in Sugai is a radial flow design, while that of Anderson, Jr. has the rotor blades mounted as separate parts on the rotor axis in an axial flow design. The rotor in the instant application has the rotor blades and rotor axis formed integrally in a radial inflow design and the amendment to claim 1 incorporates this as a limitation in the claim. In addition, amended claim 1 includes a stator as an element, which is not present in Sugai, or Anderson, Jr. Applicant respectfully submits that the amended claim 1 is not anticipated by either Sugai, or Anderson, Jr.

Claim 2 has been amended to further differentiate versus Kakimoto by including the limitation that the rotor and stator, in the instant application, are coaxial. Kakimoto discloses a tubular stator, and the stator axis is offset from the rotor axis (col. 6, lns 14-19) resulting in an eccentric motion of the rotor relative to the stator. Anderson, Jr. discloses an axial flow.

Applicant respectfully submits that there are important elements and limitations present in the instant application that are not present in either Anderson, Jr. or Kakimoto. In addition, it is not at all obvious, nor is there any "clear and particular" suggestion, to combine the two references in such a way as to obtain the device of the instant application. Applicant respectfully submits that claim 2 is not obvious from Anderson, Jr., in view of Kakimoto, and is therefore in condition for allowance.

Claims 3-5 have been amended to incorporate the allowable subject matter, specified by the Examiner, in an independent base claim format. Applicant believes that claims 3-5, as amended, fully comply with the conditions necessary to remove Examiner's objection.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (408) 358-0489.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ralph H. Willgohe', written over the printed name.

Ralph H. Willgohe

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